



<p>Relevant Legislation / Related information</p>	<ul style="list-style-type: none"> • Children's Guardian Act 2019 (NSW) • Child Protection (Working with Children) Act 2012 • Children and Young Persons (Care and Protection) Act 1998 (NSW) • Registered and Accredited Individual Non-government Schools (NSW) Manual - November 2022 (educationstandards.nsw.edu.au) - 3.6.2 • Mandatory reporting policy NSW
<p>Related school policies (Including but not limited to)</p>	<ul style="list-style-type: none"> • Code of conduct • Bullying and harassment (including sexual harassment) policy and procedure • WHS policy and procedure • Grievance and complaints policy • Whistleblower policy and procedure
<p>Review Cycle</p>	<p>Annual</p>
<p>Authorisation / date</p>	<p>Principal – Feb 2023</p>
<p>Feedback</p>	<p>Principal - Darren McPartland d.mcpartland@stpetersbroulee.nsw.edu.au</p>
<p>Accessible</p>	<p><input checked="" type="checkbox"/> Staff (Policy & procedure) <input checked="" type="checkbox"/> External Homepage (Policy only)</p>

1. Purpose

This document outlines how St Peter's Anglican College (SPAC) seeks to ensure the safety of students in its care by means of mandatory reporting. It sets out staff responsibilities for child protection and processes that staff must follow in relation to child protection matters.

1.1 Scope

This is an organisation wide policy and applies to all staff members, which includes employees, contractors and volunteers.

2. Policy

The School is committed to providing a safe and supportive environment for all students. This policy responds to the mandatory reporting requirements under the NSW *Children and Young Persons (Care and Protection) Act 1998* (the Act) provides direction to all School staff in dealing with matters relating to child abuse and neglect.

The Act provides for mandatory reporting of children at risk of significant harm as part of the school's overall commitment to child protection. All staff are required to report any child protection or child wellbeing concerns about the safety, welfare or wellbeing of a child or young person.

The safety, protection and welfare of students is the responsibility of all staff members and encompasses:

- a duty of care to ensure that reasonable steps are taken to prevent harm to students which could reasonably have been foreseen
- obligations under child protection legislation

Any concern regarding the safety, welfare or well-being of any student must be reported as soon as possible.

3. Forms of child abuse

There are different forms of child abuse. These include neglect, sexual, physical and emotional abuse.

Neglect is the continued failure by a parent or caregiver to provide a child with the basic things needed for his or her proper growth and development, such as food, clothing, shelter, medical and dental care and adequate supervision.

Sexual abuse is when someone involves a child or young person in a sexual activity by using their power over them or taking advantage of their trust. Often children are bribed or threatened physically and psychologically to make them participate in the activity. Child sexual abuse is a crime.

Physical abuse is a non-accidental injury or pattern of injuries to a child caused by a parent, caregiver or any other person. It includes but is not limited to injuries which are caused by excessive discipline, severe beatings or shakings, cigarette burns, attempted strangulation and female genital mutilation. Injuries include bruising, lacerations or welts, burns, fractures or dislocation of joints. Hitting a child around the head or neck and/or using a stick, belt or other object to discipline or punishing a child (in a non-trivial way) is a crime.

Emotional abuse can result in serious psychological harm, where the behaviour of their parent or caregiver damages the confidence and self-esteem of the child or young person, resulting in serious emotional deprivation or trauma.

Although it is possible for 'one-off' incidents to cause serious harm, in general it is the frequency, persistence and duration of the parental or carer behaviour that is instrumental in defining the consequences for the child.

This can include a range of behaviours such as excessive criticism, withholding affection, exposure to domestic violence, intimidation or threatening behaviour.

4. Child wellbeing concerns

Child wellbeing concerns are safety, welfare or wellbeing concerns for a child or young person that do not meet the mandatory reporting threshold, risk of significant harm.

Procedural information

4.1 Who is a mandatory reporter?

The Care and Protection Act provides for mandatory reporting of children at risk of significant harm. A child is a person under the age of 16 years and a young person is aged 16 years or above but who is under the age of 18, for the purposes of the Care and Protection Act. Under the Care and Protection Act persons who:

- in the course of their employment, deliver services including health care; welfare, education, children's services and residential services, to children; or
- hold a management position in an organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of services including health care, welfare, education, children's services and residential services, to children, are mandatory reporters.

All teachers and employees at the School are mandatory reporters. This includes peripatetic staff, tutors and coaches. If an employee of the School has any concerns or question, they should consult with the Principal without delay.

4.2 Reporting to the Department of Communities and Justice

Where they have reasonable grounds to suspect that a child (under 16 years of age) is at risk of significant harm, a mandatory reporter must report to the Department of Communities and Justice (DCJ) as soon as practicable. The report must include the name, or a description, of the child and the grounds for suspecting that the child is at risk of significant harm.

4.3 Reporting responsibilities

Reporting by the School about these matters to DCJ and, where necessary, the police, is generally undertaken by the Principal.

If a staff member has a concern that a child or young person is at risk of significant harm they should contact the Principal as soon as possible to discuss whether the case reaches the threshold of 'risk of significant harm' and the steps required to report the matter.

However, if there is an immediate danger to the child or young person and the Principal or next most senior member of staff is not contactable, the staff member should speak to the Police and/or the Child Protection Helpline on 132 111 directly and then advise the Principal or next most senior member of staff at the School as soon as possible.

4.4 Focus on the child's safety

The Act recognises that the safety, welfare and wellbeing of a child or young person are the paramount consideration for a reporter. Consequently, while being aware of cultural sensitivities, the reporter's focus must remain on ensuring the safety of the child or young person. For further information see: [*If the child or family is Aboriginal - Family & Community Services NSW*](#).

If behaviours are occurring that could cause risk of significant harm to a child or young person they should not be minimised or dismissed on cultural grounds.